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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 JOHN REECE,

11 Petitioner,

12 v.

13 MAGGIE MILLER-STOUT,

14 Respondent.

Case No. C09-5520RJB/JRC

ORDER

15 This 28 U.S.C. § 2254 petition has been assigned to the undersigned Magistrate Judge.
16
17 Petitioner has filed a motion for appointment of counsel. (Dkt. #1).

18 There is no right to have counsel appointed in cases brought under 28 U.S.C. § 2254 unless
19 an evidentiary hearing is required, because the action is civil, not criminal, in nature. See Terravona
20 v. Kincheloe, 852 F.2d 424, 429 (9th Cir. 1988); Brown v. Vasquez, 952 F.2d 1164, 1168 (9th Cir.
21 1992); and Rule 8(c) of the Rules Governing Section 2254 Cases in the United States District Courts.
22 An evidentiary hearing has not been granted in this case. Further, the claims in the petition are
23 adequately set forth and articulated. Petitioner's motion for appointment of counsel, (Dkt. # 1) is
24 therefore **DENIED**.

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ORDER - 1

1 The clerk is directed to send copies of this order to petitioner.

2 DATED this 18th day of September, 2009.

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6 J. Richard Creatura
7 United States Magistrate Judge
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